

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

AIG SPECIALTY INSURANCE	§	CIVIL ACTION NO. 6:21-CV-04191-RRS CBW
COMPANY (f/k/a CHARTIS	§	
SPECIALTY INSURANCE	§	JUDGE ROBERT R SUMMERHAYS
COMPANY)	§	
	§	
VS.	§	MAGISTRATE CAROL B WHITEHURST
	§	
KNIGHT OIL TOOLS, INC.	§	
	§	(ORAL ARGUMENT REQUESTED)
	§	(JURY REQUESTED)

UNOPPOSED MOTION FOR EXTENSION OF TIME

NOW INTO COURT, through undersigned counsel, comes Intervenor, RIPPY OIL COMPANY (“Rippy Oil”), who respectfully represents as follows:

1.

On December 7, 2021, AIG Specialty Insurance Company (“AIG”) filed its complaint for declaratory judgment against Knight Oil Tools, Inc. only. (“KOT”). [R. Doc. 1]. Defendant KOT filed a waiver of service [R. Doc. 14] followed by two unopposed Motions for Extension of Time to File an Answer or Other Responsive Pleading. [R. Doc. 30 and 34]. KOT filed a Motion to Dismiss for lack of Jurisdiction or in the alternative, Motion to Stay by Knight Energy Services, LLC, incorrectly named, Knight Oil Tools, Inc. on March 22, 2022. [R. Doc. 42].

2.

On January 18, 2022, this Honorable Court granted leave for Rippy Oil to intervene and file a motion to dismiss the complaint of plaintiff AIG Specialty Insurance Company (“AIG”). [R. Doc. 12.] That same day, Rippy Oil filed its Motion to Dismiss. [R. Doc. 13.] As one basis for its Motion to Dismiss, Rippy Oil Company questions whether AIG has a live case or controversy

with KOT that is ripe and therefore justiciable for declaratory relief determination. KOT likewise filed a Motion to Dismiss asserting no case or controversy between KOT and AIG as a basis for dismissal. [R. Doc. 42]

3.

On May 2, 2022, AIG filed a Memorandum in Opposition to KOT's and Rippy Oil's Motion to Dismiss. [R. Doc. 63].

4.

On May 6, 2022, proposed intervenor ACE American Insurance Company ("ACE") filed a Response to Rippy Oil's Motion to Dismiss. [R. Doc. 64.]

5.

Rippy Oil previously requested and received a 7-day extension up to and including May 16, 2022 to file a Motion for Leave to Reply and Reply Memorandum to the AIG and ACE responses. [R. Doc. 65; 67]. Rippy Oil now respectfully requests a second 3-day extension of time (or until May 19, 2022), to file a Motion for Leave to Reply and combined Joint Reply Memorandum and Reply to AIG's and ACE's Responses.

6.

Good cause exists for the proposed extension. KOT filed its Petition for Review with the Texas Supreme Court where it remains pending. Settlement discussions are ongoing. The parties by and through their attorneys have conducted the Rule 26(F) meeting of the parties in the Texas coverage suit pending in the Southern District of Texas, Houston Division. The Joint Discovery and Case Management Plan was filed on May 16, 2022, ten days before the Court's May 26, 2022, initial pretrial and scheduling conference set by the Court in the Texas lawsuit. According to the Order form Conference and Disclosure of Interested Parties, the Court in the Southern District of

Texas, Houston Division lawsuit “may rule on any pending motions.” AIG, Risk Specialists, and ACE have a pending Motion to Dismiss or in the alternative to Transfer or Stay which has been fully briefed. Rippy Oil believes that this Court will find of interest any ruling in the Southern District of Texas, Houston Division, on the pending Motion to Dismiss or in the alternative to Transfer or Stay, as well as a combined Reply to the Responses of AIG and ACE. Additionally, the lead pro hac vice attorney, Kenneth Tekell, remains in trial in Harris County District Court and has not been available to approve the filing of Intervenor Rippy Oil’s reply. Finally, the Court has not issued a Scheduling Order in this case regarding completion or discovery or setting the case for hearing or trial, so no other deadlines should be affected.

7.

Pursuant to Local Rules 7.4.1 and 7.9, as evidenced by the certificate located at the end of this motion, Rippy Oil has obtained consent for the filing and granting of this motion from all parties having an interest to oppose.

8.

Pursuant to Local Rule 7.4.1, no supporting memorandum or hearing is required unless otherwise directed by this Honorable Court.

WHEREFORE, premises considered, Intervenor, RIPPY OIL COMPANY (“Rippy Oil”), prays that this unopposed motion be granted, and that Rippy Oil be granted an extension of time until May 19, 2022 to file a Motion for Leave and Reply to AIG’s Memorandum in Opposition [R. Doc. 63] and ACE’s Response [R. Doc. 64].

Respectfully submitted,

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ATTORNEYS FOR INTERVENOR, RIPPY
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CERTIFICATE OF SERVICE

I certify that on this 16th day of May, 2022, a true and correct copy of the foregoing instrument was served via electronic means through transmission facilities from the Court upon those parties authorized to participate and access the Electronic Filing System for the United States District Court, Western District of Louisiana.

/S/ Mike Morris
JAMES H. GIBSON

LR 7.4.1 CERTIFICATE

Pursuant to Local Rule 7.4.1, I hereby certify that I have obtained consent for the filing and granting of this motion from all parties having an interest to oppose.

/S/ Mike Morris
MIKE MORRIS

LR. 7.9 CERTIFICATE

Pursuant to Local Rule 7.9, I hereby certify that there is no opposition to this request by plaintiff AIG Specialty Insurance Company.

/S/ Mike Morris
MIKE MORRIS